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February 27, 2019

**VIA ECF, FEDERAL EXPRESS and E-MAIL**

The Honorable Stuart M. Bernstein, U.S.B.J.  
United States Bankruptcy Court  
Southern District of New York  
One Bowling Green  
New York, New York 10004-1408  
[Bernstein.chambers@nysb.uscourts.gov](mailto:Bernstein.chambers@nysb.uscourts.gov)

**Re: *In re Bernard L. Madoff, Investment Securities, LLC*, Adv. Pro. No. 08-01789**

Dear Judge Bernstein:

I write on behalf of Defendants represented by Chaitman LLP (the “Defendants”) listed on the Exhibit As to the Trustee’s Proposed Orders annexed to the Trustee’s Notices of Settlement of Order Implementing Memorandum Decision Regarding Trustee’s Motion for Additional Discovery Based on the Deposition Testimony of Bernard L. Madoff. [ECF Nos. 18519, 18520].

Defendants object to the Trustee’s Proposed Orders [ECF Nos. 18519-2, 18520-2] for the limited reason that they do not provide Defendants with a reasonable period of time to produce their own expert reports and to conduct expert discovery. Specifically, the Proposed Orders would require the Trustee to serve his expert reports on June 14, 2019 and for Defendants to serve their rebuttal expert reports six weeks later, on July 29, 2019. Expert discovery is proposed to be concluded by August 28, 2019.

These are not feasible deadlines, and they greatly prejudice Defendants. The Trustee has had nine years to prepare his own expert reports and yet he wants to limit Defendants to a six-week period to study the Trustee’s expert reports and produce rebuttal reports. Moreover, the time period we are given is the summer when Defendants’ experts will probably be on their vacations.

Defendants, therefore, respectfully request that the Proposed Orders be modified so that rebuttal expert reports are served by October 20, 2019 and expert discovery is concluded by December 1, 2019. Defendants submit Proposed Orders, in redlined and non-redlined versions, as Exhibits A and B to this letter.

The Court’s attention to these matters is appreciated.

**CHAITMAN LLP**

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Respectfully submitted,

/s/Helen Davis Chaitman

Helen Davis Chaitman

HDC

Attachments (as stated)

cc: Davis Sheehan, Esq. (*via email only*)  
Nicholas J. Cremona, Esq. (*via email only*)  
Amanda Fein, Esq. (*via email only*)  
Seanna Brown, Esq. (*via email only*)  
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